

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7017

BILL NUMBER: SB 553

NOTE PREPARED: Jan 12, 2011

BILL AMENDED:

SUBJECT: Civil forfeiture.

FIRST AUTHOR: Sen. Arnold

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ___**GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: Provides that a prosecuting attorney may initiate a civil forfeiture by notifying the owner of the seized property of the intent to seize the property, and specifies that the property will be forfeited if the owner does not timely object. Provides that the owner of forfeited property may object to the forfeiture by objecting in writing to the forfeiture and (if the owner is not indigent) providing a 10% bond. Specifies that the prosecuting attorney is entitled to 22% of forfeited funds, the clerk of the courts to 3% of the funds, and the law enforcement agency that seized the property to 75% of the funds. Prohibits a prosecuting attorney from retaining an attorney to bring a forfeiture action, and prohibits adoptive forfeiture (where seized property is transferred to a federal court for a forfeiture action) unless required by federal law.

Effective Date: July 1, 2011.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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